

42706-0400 (BC72)



#18
W. Lamm
42706.0400 1/27/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Robert Weston, et al.

Serial No.: 09/039,202

Filed: March 13, 1998

For: METHOD AND APPARATUS FOR
TRANSMITTING DATA

Patent Examiner: Salce, Jason P.

Group Art Unit: 2611

RECEIVED

January 14, 2003

JAN 24 2003

Irvine, California 92614
Technology Center 2600

RESPONSE TO THE FIRST OFFICE ACTION
IN CONTINUED PROSECUTION APPLICATION
(37 CFR §§ 1.111, 1.112)

Assistant Commissioner for Patents
Washington, D.C. 20231

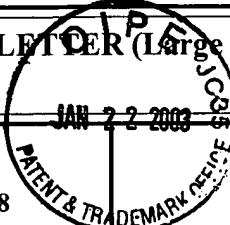
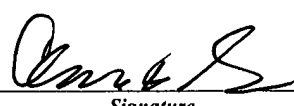

Dear Sirs:

In response to the Office Action of November 5, 2002, kindly enter the following
Amendment:

REMARKS

Claims 1-3 and 5-11 remain in the Application. Applicant respectfully requests
reconsideration.

Claims 1-2 and 6-11 were rejected under 35 U.S.C. § 103(a) as unpatentable over
Lappington, et al. (US 5,734,413) in view of *Lyons* (US 5,864,557). Applicant respectfully
traverses.

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. 42706-0400 (BC72)	
Applicant(s): David Robert Weston, et al.					
Serial No. 09/039,202	Filing Date March 13, 1998		Examiner Salce, Jason P.	Group Art Unit 2611	
Invention: METHOD AND APPARATUS FOR TRANSMITTING DATA					
RECEIVED					
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> JAN 24 2003					
Transmitted herewith is an amendment in the above-identified application.				Technology Center 2600	
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	10 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2814 A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. </div> <div style="text-align: right;"> Dated: January 14, 2003 </div> </div> <div style="margin-top: 20px;"> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  <i>Signature</i> </div> <div style="width: 40%;"></div> </div> <div style="margin-top: 20px;"> Albin H. Gess, Esq. Registration No. 25,726 Snell & Wilmer LLP 1920 Main Street, Suite 1200 Irvine, CA 92614 (949) 253-2700 </div> </div>					
<div style="border: 1px solid black; padding: 5px;"> I certify that this document and fee is being deposited on 1-14-03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. <div style="text-align: center; margin-top: 10px;">  <i>Signature of Person Mailing Correspondence</i> </div> <div style="text-align: center; margin-top: 10px;"> Sandy Malec <i>Typed or Printed Name of Person Mailing Correspondence</i> </div> </div>					